

U.S. Environmental Protection Agency Region 6  
Response to Request for One-Time Authorization of Discharge of Incident-Related Wastewater and  
Continuing Discharge of Non-Incident Related Wastewater

On April 17, 2019, EPA issued Intercontinental Terminals Company (ITC) a one-time authorization for incident-related wastewater to be discharged through their wastewater treatment system. This action is being taken to prevent an untreated discharge of incident related wastewater and to prevent any delays of ongoing response activities.

On March 17, 2019, in response to a tank fire at the Intercontinental Terminals Company LLC's (ITC) Deer Park, Texas facility, EPA and TCEQ, and local agencies, joined ITC in a Unified Command. EPA and TCEQ continue to be onsite for the emergency response and are focused on providing the assistance and coordination needed to address any discharges from the site.

Pressing circumstances surrounding the on-going emergency response exist and now require further action by EPA, which is fully supported by TCEQ, to prevent the further release of untreated contaminated wastewater. These circumstances include the current collection of over 581,000 barrels of wastewater and organic waste which is being stored by ITC as it evaluates disposal options. Each rain event contributes to the amount of material that must be collected and stored at the ITC facility. With additional rain forecasted over the next few days and predicted in the coming weeks, the volume of wastewater will continue to increase and may soon exceed ITC's current waste storage capacity; resulting in a discharge of untreated wastewater into Tucker and Buffalo Bayou and/or delay in response activity.

At the request of ITC and with support from TCEQ, EPA is authorizing the treatment and discharge of the incident related wastewater from Tank 80-34 through the on-site wastewater treatment system. This action will allow rain water collected in other operational area outside of the impacted area to be treated and discharge through the facilities wastewater treatment system and not compound the problems associated with incident related wastewater storage.

To ensure that this action is protective, EPA and TCEQ reviewed a bench scaled treatability study on the wastewater from the tank as part of the decision, we are requiring an extensive list of constituents to be monitored from the discharge, and this is a one-time authorization. This decision can be revisited at anytime during the process if conditions change.

**Desk Statement:**

In an effort to ensure that the response action for the Intercontinental Terminals Company (ITC) facility continues uninterrupted and transitions to a non-emergency status, EPA, with concurrence from TCEQ, issued ITC a one-time authorization for incident-related wastewater to be discharged through their wastewater treatment system on April 17, 2019. At the request of ITC, with concurrence from TCEQ, and pursuant to EPA's emergency response authorities, EPA is authorizing the treatment and discharge of the incident-related wastewater from Tank 80-34 through the on-site wastewater treatment system. This action will allow rain water collected in other operational areas outside of the response area to be treated and discharged through the facility's wastewater treatment system and not compound the problems associated with incident related wastewater storage.